

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

In re:

Markia Stevenson

Debtor.

Case No: 19-56842-mlo
Hon. Maria L. Oxholm
Chapter 13

**LESSOR, MAPLE VILLAGE OF SOUTHGATE MHC'S OBJECTIONS TO
CONFIRMATION OF DEBTOR'S PROPOSED CHAPTER 13 PLAN**

NOW COMES Lessor, Maple Village of Southgate MHC ("Lessor"), by and through its attorneys, PALETZ LAW, and objects to the confirmation of Debtor's proposed Chapter 13 Plan of November 27, 2019 (ECF No. 8) as follows:

1. Lessor owns the property located at 15705 Goddard Road, Apt. 107, Southgate, MI 48195 ("Residential Rental Property").
2. On or about November 27, 2019, Markia Stevenson ("Debtor"), filed a Voluntary Petition for Relief under Chapter 13 of the Bankruptcy Code and a proposed Chapter 13 Plan ("Plan") (ECF No. 8).
3. On February 28, 2019, Lessor and Debtor entered into a lease agreement for the Residential Rental Property for a lease term of twelve months from March 1, 2019 to February 29, 2020. See attached copy of the lease agreement as Exhibit A.
4. Pursuant to the terms of her tenancy, Debtor is required to make regular monthly payments of \$1,235.00 for rent of the Residential Rental Property, plus additional charges due under the lease agreement for trash and fluctuating water utility fees.
5. As of January 28, 2020, Debtor has a past due balance of \$3,895.74. See attached copy of the ledger marked as Exhibit B.
6. Lessor does not have adequate assurance/protection for the rental of its Residential Rental Property as last payment received from Debtor occurred in October 2019.
7. Pursuant to the Plan, Debtor classified Lessor's claim as Class 6.1 and proposed to assume her lease agreement with the payments to be made directly by the Debtor to the Lessor.

8. Due to the Debtor's default, Debtor's lease agreement cannot be assumed under 11 U.S.C. §365(b).
9. Based on the Plan's failure to comply with 11 U.S.C. §365(b), the Plan is not confirmable.

WHEREFORE, Lessor respectfully requests that this Court deny confirmation and dismiss this case or, in the alternative, direct the Debtor to amend the Plan to conform to Lessor's objections.

Respectfully submitted,

/s/ Matthew I. Paletz

PALETZ LAW

By: Matthew I. Paletz (P65009)

Ian T. Morton (P67892)

Robin R. Mocabee (P64575)

Attorneys for Lessor, Maple Village of Southgate MHC

2800 Livernois Road, Suite 360

Troy, MI 48083

Phone: (248) 593-9090

mpaletz@paletzlaw.com

imorton@paletzlaw.com

tharder@paletzlaw.com (alternate)

Date: February 3, 2020

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

In re:

Markia Stevenson

Debtor.

Case No: 19-56842-mlo

Hon. Maria L. Oxholm

Chapter 13

CERTIFICATE OF SERVICE

Matthew I. Paletz hereby certifies that on February 3, 2020, he electronically filed the following documents:

- (1) Lessor, Maple Village of Southgate MHC's Objections to Debtors' Chapter 13 Plan;
and
- (2) this Certificate of Service,

with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

David R. Ienna, Esq.
Jaafar Law Group PLLC
1 Parklane Boulevard, Suite 729 East
Dearborn, MI 48126
david@fairmaxlaw.com

David WM Ruskin, Esq.
Chapter 13 Trustee
26555 Evergreen Road, Suite 1100
Southfield, MI 48076-4251
ecf-emails@det13.com

Matthew I. Paletz further certifies that he mailed by United States Postal Service the above described documents to the following non-ECF participant: Markia Stevenson 15705 Goddard Road, Apt. 107, Southgate, MI 48195.

/s/ Matthew I. Paletz

PALETZ LAW

BY: Matthew I. Paletz (P65009)

Attorneys for Lessor, Maple Village of Southgate MHC
2800 Livernois Road, Suite 360

Troy, MI 48083

(248) 593-9090

mpaletz@paletzlaw.com

imorton@paletzlaw.com

tharder@paletzlaw.com (alternate)